

April 6, 1889, entitled an act to require butchers and slaughterers of cattle to give a bond and to prescribe penalties for the violation of the conditions of the same, and to prevent unlawful slaughtering and selling of cattle, as amended by the Twenty-second Legislature."

Read first time and referred to Judiciary Committee No. 2.

The Chair then laid before the Senate, second special order,

Senate bill No. 25, entitled "An act to regulate the practice in trial and appellate courts in relation to new trials and reversal of cases where the verdict and judgment is held excessive, and to require said courts to indicate the excess, and to provide for filing remittiturs, and the effect thereof."

Bill read third time and passed.

BILLS ON THIRD READING.

The Chair placed before the Senate, Senate bill No. 146, entitled "An act to amend chapter 10, article 4232 of the Revised Statutes of the State of Texas."

Bill read third time and passed.

On motion of Senator Dean, the regular business was suspended and

House bill No. 18, entitled "An act to amend article 2309 of the Revised Civil Statutes, and to fix the time and place of making sales of real estate under execution or venditioni exponas, and to prescribe the mode and manner of advertising such sales," was taken up.

Bill read second time and committee amendment lost.

By Senator Yoakum:

Amend by striking out the following words in section 1: "Provided, that the defendant, if he desires, may designate the paper in which the publication shall be made."

Adopted.

By Senator Smith:

Amend by striking out after the word "execution," in line 5, the following words: "Order of sale."

Senator Swayne entered a motion to reconsider the vote by which the enacting clause of Senate bill No. 96 was stricken out, and the same was ordered spread upon the journal.

On motion of Senator Jester, Senators Imboden and Agnew were excused from attendance on to-day, they being on committee duty.

On motion of Senator Jester, Senator Hutchison was excused for non-attendance on yesterday.

On motion of Senator Crowley, the Senate adjourned to 10 to-morrow.

13—Senate

THIRTY-THIRD DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, Feb. 16, 1893.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called by Secretary Kennedy.

Quorum present, the following Senators answering to their names:

PRESENT—27.

Agnew,	Lawhon,
Atlee,	Lewis,
Baldwin,	McComb,
Boren,	McKinney,
Bowser,	Pressler,
Browning,	Shelburne,
Cranford,	Simpson,
Crowley,	Smith,
Dean,	Steele,
Dickson,	Swayne,
Greer,	Tips,
Imboden,	Woods,
Jester,	Yoakum.
Kearby,	

ABSENT—2.

Douglass, Hutchison.

EXCUSED—2.

Goss, Whitaker.

Prayer by the chaplain, Dr. Briggs.

Pending the reading of the journal of yesterday.

On motion of Senator Browning, the reading of the same was suspended.

On motion of Senator Simpson, Senator Whitaker was excused until next Monday on account of important business.

On motion of Senator Boren, Senator Hutchison was excused until to-morrow on account of important business.

PETITIONS AND MEMORIALS.

By Senator Dean:

Petitions from citizens of Llano county to divide the unappropriated public domain equally between the public schools of the State.

Read and referred to Committee on Public Lands.

COMMITTEE REPORTS.

COMMITTEE ROOM,
AUSTIN, TEXAS, Feb. 15, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Education, to whom was referred

Senate bill No. 180, entitled "An act to create a State normal school at the city of Denton, Texas, to be known as the Denton Normal Institute, and to make an appropriation therefor,"

Have had the same under consideration, and instruct me to report it back

to the Senate with the recommendation that it *do pass*.

SMITH, Chairman.

MINORITY REPORT.

COMMITTEE ROOM,
AUSTIN, TEXAS, Feb. 14, 1893.

Hon. M. M. Crane, President of the Senate:

The undersigned members of the Committee on Education, who have had under consideration Senate bill No. 180, beg leave to dissent from the recommendation of the majority and ask that said bill do not pass, for the following reasons:

First. There is no necessity at this time for the creation and establishment of an additional normal school in Texas, there being at this time ample facilities and accommodations at the Sam Houston Normal school, located at Huntsville, Texas, for 600 pupils, and the past session shows an enrollment of only 387 pupils as shown by the report of the faculty, thereby disproving the claim that there is a demand for additional facilities for educating and training more teachers than can be accommodated at said school.

Second. We are opposed to the bill for the reason that the money necessary to establish and maintain the school proposed by said bill will take from the available school fund money that should go to aid in securing the school term of the common schools of the State, which are running on shorter time than is demanded by the Constitution, for lack of means to maintain them for said length of time.

Third. We are opposed to the bill for the further reason that section 5 of article 7 of the State Constitution prohibits apportionments out of the available school fund for any other purpose than the support of the public free schools, and provides that said fund shall be distributed to the several counties according to their scholastic population.

T. E. BOREN,
R. E. STEELE,
J. C. BALDWIN.

COMMITTEE ROOM,
AUSTIN, TEXAS, Feb. 15, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Education, to whom was referred

Senate bill No. 137, entitled "An act to establish and organize a State normal school, to be called Richard Bursleson Normal Institute, and to locate the same at Rockdale, Texas,"

Have had the same under consideration, and instruct me to report it

back to the Senate with the recommendation that it *do pass*, with the following amendments:

Amend section 4, line 1, after the word "each" insert "Senatorial and;" also, in line 4, after the word "the" insert "Senator or."

SMITH, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Feb. 16, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Finance, to whom was referred

Senate bill No. 191, entitled "An act providing for the payment of \$484,500 matured 6 and 7 per cent bonds, and the issuance of 4 per cent 40-year bonds in lieu thereof,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do pass*.

JESTER, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Feb. 16, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

Substitute House bill No. 161, entitled "An act to amend section 38, chapter 141 of an act passed at the regular session of the Twenty-first Legislature of the State of Texas, approved March 30, 1889, entitled an act to amend chapter 61, an act entitled an act to amend section 38 of an act entitled an act to redistrict the State into judicial districts, and fix the time for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883, approved March 25, 1887, granting an extension of time for the holding of the district court of Comal county,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do pass*.

ATLEE, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Feb. 15, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Public Lands and Land Office, to whom was referred

Senate bill No. 160, entitled "An act to authorize the relinquishment to the State of Texas by the owners of State school, university or asylum lands any portion of said lands owned by them in excess of 160 acres,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do not* pass.

YOAKUM, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Feb. 15, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Mining and Irrigation, to whom was referred

Senate bill No. 186, entitled "An act to amend section 10, chapter 100 of an act entitled an act to promote the mining resources of Texas, approved March 29, 1889,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do* pass with the following amendments, to-wit:

Section 10, line 1, after the word "person" insert "or association of persons."

Also in line 9, after word "gas," insert "gypsum, nitrates, mineral paints, asbestos, marls, natural cement, clay, marble, onyx, mica, precious stones and stone valuable for ornamental purposes."

Strike out section 2 and insert the following substitute:

"Section 2. The fact that there is no adequate law for utilizing the lands named in this act, and the development thereof retarded, creates an emergency, and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days be suspended, and this act take effect from date of passage, and it is so enacted."

DEAN, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Feb. 16, 1893.

Hon. M. M. Crane, President of the Senate
and Hon. J. H. Cochran, Speaker of the House of Representatives:

Your conference committee, to whom was referred the differences between the two houses on

Senate bill No. 16, being "An act for the relief of railroad companies having charters granted or amended since January 1, 1887, and extending time for their completion,"

Have had the same under consideration, and recommend that the House recede from all House amendments except the following:

Add to section 1 the following: "And the provisions of this act shall extend to and embrace suburban and belt railroads heretofore chartered under the laws of this State;" and also the following portion of the amendment to the caption, to be added

to the caption: "An act for the relief of railroads and belt and suburban railway companies."

O. P. BOWSER,
JAS. W. SWAYNE,
WALTER TIPS,
J. G. KEARBY,
For Senate.

PECK,
PICKETT,
TAYLOR,
MCLEMORE,
SLAYDEN,
For House.

On motion of Senator Bowser, the above report was adopted.

BILLS AND RESOLUTIONS.

By Senator Baldwin, by request:

A bill to be entitled "An act to regulate the issuance and use of county occupation tax receipts."

Read first time and referred to Judiciary Committee No. 2.

By Senator Kearby:

A bill entitled "An act to amend articles 579 and 587, title 20, chapter 3 of the Revised Statutes."

Read first time and referred to Judiciary Committee No. 2.

By Senator Browning:

"An act for the relief of Chas. T. Sisson."

Read first time and referred to Committee on State Affairs.

By Senator Baldwin, by request:

A bill to be entitled "An act to prevent the unlawful issuance of occupation tax receipts by collectors of taxes."

Read first time and referred to Judiciary Committee No. 2.

By Senator Dean:

A bill to be entitled "An act to extend the time within which lands that have been sold for taxes and bought in by the State, or any city or town, may be redeemed."

Read first time and referred to Committee on Public Lands and Land Office.

By Senator Lawhon:

"An act to amend section 2 of an act entitled an act to incorporate the town of Yorktown, approved May 22, 1871."

Read first time and referred to Committee on Towns and City Corporations.

On motion of Senator Steele, the journal of yesterday was corrected so as to exclude that part of his concurrent resolution enclosed in parentheses under the caption of same.

Senator Smith offered the following concurrent resolution:

Resolved by the Senate, the House of Representatives concurring, That the

present session of the Legislature do adjourn sine die Friday, March 10, 1893, at 3 o'clock p. m.

Senator Steele moved to refer to Committee on State Affairs.

Lost.

The resolution was then adopted.

Morning call concluded.

Senator Imboden asked unanimous consent to take up Senate bill No. 157.

Granted.

The Chair placed before the Senate, Senate bill No. 157, entitled "An act to amend an act approved July 4, 1887, and the amendatory act thereto approved March 31, 1891, and to change the times for holding the district courts in the Second, Ninth and Eleventh judicial districts of the State of Texas, and to take Montgomery county from the Eleventh and attach same to the Ninth, and take Angelina county from the Ninth and attach same to the Second judicial district, and to fix the time of holding courts in said districts, etc."

Bill read second time.

By Senator Imboden:

Strike out section 2 of the bill and insert the following:

"Section 2. The second judicial district shall be composed of the counties of Angelina, Cherokee, Nacogdoches, Sabine, San Augustine and Shelby, and the terms of the district courts shall be held therein as follows:

"In the county of Shelby on the first Mondays in January and August, and may continue in session five weeks.

"In the county of Sabine on the fifth Monday after the first Monday in January and August, and may continue in session two weeks.

"In the county of San Augustine on the seventh Monday after the first Monday in January and August, and may continue in session three weeks.

"In the county of Nacogdoches on the tenth Monday after the first Monday in January and August, and may continue in session four weeks.

"In the county of Angelina on the fourteenth Monday after the first Monday in January and August, and may continue in session three weeks.

"In the county of Cherokee on the seventeenth Monday after the first Monday in January and August, and may continue in session until the business is disposed of."

Adopted.

By Senator Boren:

Strike out section 7 and insert the following:

"Section 7. The near approach of the end of the present Legislature, and

the crowded condition of the calendar, create an emergency that requires the constitutional rule requiring bills to be read on three several days be suspended, and it is so suspended, and the great need of changing the times for holding the courts, mentioned in this act, creates an imperative public necessity that this act take effect from and after its passage, and it is so enacted."

Adopted.

The bill was then ordered engrossed.

On motion of Senator Imboden, the constitutional rules requiring bills to be read on three several days were suspended, and the bill was put upon its third reading and final passage by the following vote:

YEAS—22.

Agnew,	Lawhon,
Atlee,	Lewis,
Baldwin,	McComb,
Boren,	McKinney,
Bowser,	Pressler,
Cranford,	Simpson,
Dean,	Smith,
Dickson,	Steele,
Imboden,	Swayne,
Jester,	Woods,
Kearby,	Yoakum.

NAYS—3.

Browning,	Tips.
Shelburne,	

ABSENT—3.

Crowley,	Greer.
Douglass,	

EXCUSED—3.

Goss,	Whitaker.
Hutchison,	

Bill read third time and passed by the following vote:

YEAS—26.

Agnew,	Kearby,
Atlee,	Lawhon,
Baldwin,	Lewis,
Boren,	McComb,
Bowser,	McKinney,
Browning,	Pressler,
Cranford,	Simpson,
Crowley,	Smith,
Dean,	Steele,
Dickson,	Swayne,
Greer,	Tips,
Imboden,	Woods,
Jester,	Yoakum.

NAYS—1.

Shelburne.

ABSENT—1.

Douglass.

EXCUSED—3.

Goss,	Whitaker.
Hutchison,	

Senator Imboden moved to reconsider the vote passing Senate bill No. 157, and to lay that motion on the table.

Carried.

Senator Dean entered a motion to reconsider the vote by which

Senate bill No. 4, being "An act to limit and regulate the ownership of real estate within this State by private corporations, foreign or domestic; to provide how and when such real estate shall be sold to natural persons, and to provide for the enforcement of this act; to provide for payment of attorney fees and costs of such suit, and for the disposition of the proceeds of said real estate; to provide that certain corporations may own real estate for certain purposes, and to repeal all laws in conflict with this act," was passed, and the same was ordered spread on the journal.

On motion of Senator Bowser,

Senate bill No. 108, entitled "An act to increase the duties of the board of railroad commissioners; changing the name of said board; providing for the organization of public warehouses, and to regulate the warehousing and inspection of grain in public warehouses in the State of Texas," was made special order for Monday, February 22, after morning call, and from day to day.

On motion of Senator Atlee, regular business was suspended, and

Senate bill No. 150, entitled "An act to amend section 2 of an act to amend an act approved March 25, 1889, being an act to amend an act to re-enact section 28 of an act to redistrict the State into judicial districts and fix the time for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883; and to amend said section 28 of said act, approved February 26, 1885; and to create the Forty-ninth judicial district, to provide for the appointment and election of a district judge and district attorney therein, and to repeal all laws and parts of laws in conflict therewith, passed at the regular session of the Twenty-second Legislature being chapter 39 of the acts thereof," was taken up.

Bill read second time and ordered engrossed.

On motion of Senator Atlee, the constitutional rules requiring bills to be read on three several days were suspended by the following vote:

YEAS—22.

Agnew,	Jester,
Atlee,	Kearby,
Baldwin,	Lewis,
Boren,	McComb,
Bowser,	McKinney,
Browning,	Pressler,
Crowley,	Simpson,
Dean,	Steele,
Dickson,	Tips,
Greer,	Woods,
Imboden,	Yoakum.

NAYS—2.

Shelburne,	Smith.
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ABSENT—4.

Cranford,	Lawhon,
Douglass,	Swayne.

EXCUSED—3.

Goss,	Whitaker.
Hutchison,	

Bill read third time and passed by the following vote:

YEAS—25.

Agnew,	Kearby,
Atlee,	McComb,
Baldwin,	McKinney,
Boren,	Pressler,
Bowser,	Shelburne,
Browning,	Simpson,
Cranford,	Smith,
Crowley,	Steele,
Dean,	Swayne,
Dickson,	Tips,
Greer,	Woods,
Imboden,	Yoakum.
Jester,	

NAYS—none.

ABSENT—3.

Douglass,	Lewis,
Lawhon,	

EXCUSED—3.

Goss,	Whitaker.
Hutchison,	

SPECIAL ORDER.

The Chair laid before the Senate

Senate bill No. 77, entitled "An act to make notes, bonds, contracts and other evidence of debt held by persons without the State of Texas, that are secured by a lien on land within the State, subject to taxation in the State, and providing that they shall be rendered and the taxes paid thereon in the county in which the land is situated, and providing the mode of collecting the same, and prohibiting any agreement whereby the payor of said note, bond, contract or other evidence of debt shall pay said taxes or become liable therefor."

Bill read second time and committee amendments adopted.

On motion of Senator Yoakum, the bill was considered by sections.

Section 1 read.

By Senator Yoakum:

Amend section 1 by adding the following proviso: "Provided, that if the land is in two different counties of the State the tax shall be in proportion to the amount of the land in each county."

Adopted.

By Senator Lewis:

Amend by striking out the word "is" in line 6 of section 1, and insert in lieu thereof the word "are."

Adopted.

Section 2 read.

By Senator Yoakum:

Amend by inserting "or any part thereof," after the word "land," in line 3, section 2.

Adopted.

Section 3 read, and on motion of Senator Greer further consideration was postponed, and made special order for Tuesday, February 23, and from day to day.

On motion of Senator Lewis,

Senate bill No. 134, entitled "An act to provide for determining the rights of non-residents, persons unknown and transient persons to property in Texas," was made special order for Monday next after call.

UNFINISHED BUSINESS.

The Chair laid before the Senate, House bill No. 18, being a bill to be entitled "An act to amend article 2309 of the Revised Civil Statutes, and to fix the time and place of making sales of real estate under execution or venditioni exponas, and to prescribe the mode and manner of advertising such sales," on second reading.

Action recurred to the amendment offered by Senator Smith:

Amend by striking out after the word "execution," in line 5, the following words, "order of sale."

Adopted.

By Senator Lawhon:

Amend section 1 by adding after the word "published," in line 8, the words, "in the English language."

Adopted.

By Senator Smith:

Amend by adding to section 1 the following: "Provided, that if the defendant in execution so desires he may, by notifying the clerk or justice of the peace issuing such execution, have the time and place of such sale advertised by the officer making the same for at least twenty days successively next before the day of sale, by posting up written or printed

notices at three public places in the county, one of which shall be at the door of the court house of the county."

Adopted.

By Senator Steele:

Amend by striking out the enacting clause.

Lost by the following vote:

YEAS—9.

Agnew,	Shelburne,
Bowser,	Simpson,
Greer,	Steele,
Lewis,	Woods.
McKinney,	

NAYS—17.

Atlee,	Kearby,
Baldwin,	Lawhon,
Boren,	McComb,
Browning,	Pressler,
Cranford,	Smith,
Crowley,	Swayne,
Dean,	Tips,
Dickson,	Yoakum.
Imboden,	

ABSENT—2.

Douglass,	Jester.
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EXCUSED—3.

Goss,	Whitaker.
Hutchison,	

Senator Browning moved to reconsider the vote adopting the first amendment offered by Senator Smith. Carried.

The amendment was then lost and the bill passed to its third reading.

BILLS ON THIRD READING.

The Chair laid before the Senate, Senate bill No. 158, entitled "An act to define who are fellow servants and who are not, and to prohibit contracts being entered into to limit the liability of employers to employes for damages."

Bill read third time and then passed.

BILLS ON SECOND READING.

The Chair laid before the Senate, Senate bill No. 5, entitled "An act to regulate assignments for the benefit of creditors, to declare what acts shall operate as such assignments, and to prescribe rules for administering the same."

Bill read second time, and on motion of Senator Agnew, was laid on the table subject to call.

On motion of Senator Swayne, regular business was suspended and

Senate bill No. 84, entitled "An act to establish an Industrial Home for fallen women and young women in danger of falling, and to make an appropriation therefor" was taken up.

Bill read second time and committee amendments adopted.

By Senator Imboden:

Add the following: "The near approach of the close of the session, and there being no provision at this time for the care of fallen women who are desirous of reform, creates an emergency and a public necessity that the constitutional rules requiring bills to be read upon three several days be suspended and this bill be in force and take effect from and after its passage, and it is so enacted."

Adopted.

By Senator Yoakum:

Amend by striking out "Fort Worth, in Tarrant county," in lines 2 and 3 of section 1, and insert "Greenville, Hunt county."

By Senator Greer:

Substitute the amendment as follows: Amend section 1 by striking out the words after the word "established" "at the city of Fort Worth, in Tarrant county," and insert in lieu thereof "in some county in the State to be selected by the trustees;" provided, said place so selected shall not be nearer than three miles of a city of over 10,000 inhabitants.

Lost.

The Yoakum amendment was then lost.

By Senator Baldwin:

Amend the caption by striking out the words "and young women in danger of falling."

By Senator Yoakum:

Substitute the amendment as follows: Amend by striking the following words out of the caption and section 1: "And young women in danger of falling."

Senator Baldwin accepted the substitute.

By Senator Simpson:

Substitute the amendment as substituted: Amend the caption and section 1, by inserting "who are in danger of becoming fallen women," instead of "young women in danger of falling."

Lost.

The amendment as substituted was then lost.

By Senator Imboden:

Amend by striking out "Fort Worth," wherever it occurs, and insert instead "Palestine."

Senator Lawhon moved the previous question on the bill and pending amendment, which was duly seconded, and the motion prevailed.

The Imboden amendment was then lost, and the bill ordered engrossed.

On motion of Senator Swayne the the constitutional rule requiring bills to be read on three several days was

suspended and the bill put upon its third reading and final passage by the following vote:

YEAS—21.

Agnew,	Jester,
Atlee,	Kearby,
Baldwin,	Lawhon,
Boren,	Lewis,
Bowser,	Presler,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Swayue,
Dickson,	Tips,
Greer,	Woods.
Imboden,	

NAYS—4.

Browning,	Steele,
Smith,	Yoakum.

ABSENT—3.

Douglass,	McKinney.
McComb,	

EXCUSED—3.

Goss,	Whitaker.
Hutchison,	

Bill read third time and passed by the following vote:

YEAS—24.

Agnew,	Kearby,
Atlee,	Lawhon,
Baldwin,	Lewis,
Boren,	McComb,
Bowser,	Pressler,
Browning,	Shelburne,
Cranford,	Simpson,
Crowley,	Smith,
Dean,	Swayne,
Dickson,	Tips,
Greer,	Woods,
Imboden,	Yoakum.
Jester,	

NAYS—1.

Steele.

ABSENT—2.

Douglass,	McKinney.
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EXCUSED—3.

Goss,	Whitaker.
Hutchison,	

Senator Swayne moved to reconsider the vote passing Senate bill No. 184, and to lay that motion on the table.

Carried.

HOUSE MESSAGES.

HOUSE OF REPRESENTATIVES.

AUSTIN, TEXAS, Feb. 16, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate that the House has adopted the free conference committee report on Senate bill No. 16.

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, Feb. 16, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to return to the Senate Senate bill No. 4, as per request of the Senate.

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, Feb. 16, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am instructed by the House to inform the Senate of the passage by the House of the following bills, to-wit:

House bill No. 39, "An act to amend section 19 of an act entitled an act to redistrict the State into judicial districts, and fix the times for holding court therein; to create the Fifty-fourth judicial district, fix the times for holding court therein, and provide for the appointment of a district judge in said district, and to repeal all laws in conflict with this act."

Passed by a two-thirds vote—ayes, 99; noes, 5.

House bill No. 508, "An act to amend article 1827 of the Revised Civil Statutes of Texas, and to provide for administrators of estates of deceased persons to sue for Indian depredation claims in the United States court of claims under the act of Congress passed March 3, 1891."

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, Feb. 16, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate of the passage by the House of the following bill, to-wit:

House bill No. 91, "An act to regulate the sale of spirituous, vinous or malt liquors, or medicated bitters; to fix a tax upon all persons or associations of persons selling such liquors; to define the time and manner of collecting such tax; to fix penalties for the violation of this act, and to repeal all laws and parts of laws in conflict with the provisions of this act."

And the following concurrent resolution:

Whereas, Congress has purchased the battlefield of Chicamauga and established the Chicamauga and Chattanooga military park; and

Whereas, The States of Georgia and Tennessee have ceded the roads through this field and over Lookout mountain and along the crest of Mis-

sionary Ridge as approaches to and a part of said park; and

Whereas, A commission appointed by the Secretary of War is now engaged in locating both the Union and Confederate lines of battle; therefore be it

Resolved that the House of Representatives, the Senate concurring, Hereby authorize and empower the Governor of this State to appoint a commission of five gentlemen, each of whom participated in the battle of Chicamauga or Chattanooga, who shall serve without pay, and whose duty it shall be to co-operate with the national commission in ascertaining and marking the positions occupied in these battles by each regiment, battery and independent organization from this State who were engaged there; and for this purpose they shall avail themselves of the knowledge and assistance of representatives of such regiments, batteries, and other organizations.

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

IN SENATE.

House bill No. 91, entitled "An act to regulate the sale of spirituous, vinous or malt liquors, or medicated bitters; to fix a tax upon all persons or associations of persons selling such liquors; to define the time and manner of collecting such tax; to fix penalties for the violation of this act, and to repeal all laws and parts of laws in conflict with the provisions of this act."

Read first time and referred to Judiciary Committee No. 2.

House bill No. 508, a bill to be entitled "An act to amend article 1827 of the Revised Civil Statutes of the State of Texas, and to provide for administrators of estates of deceased persons to sue for Indian depredation claims in the United States court of claims under the act of Congress passed March 3, 1891."

Read first time and referred to Committee on Claims.

House bill No. 39, "An act to amend section 19 of an act entitled an act to redistrict the State into judicial districts, and fix the times for holding the court therein; to create the Fifty-fourth judicial district, fix the time for holding court therein, and provide for the appointment of a district judge, and to repeal all laws in conflict with this act."

Read first time and referred to Committee on Judicial Districts.

On motion of Senator Crowley, the Senate adjourned till to-morrow morning at 10 o'clock by the following vote:

YEAS—16.

Agnew,	Lewis,
Atlee,	McKinney,
Boren,	Pressler,
Bowser,	Shelburne,
Browning,	Simpson,
Crowley,	Steele,
Dickson,	Swayne,
Greer,	Woods.

NAYS—10.

Baldwin,	Lawhon,
Cranford,	McComb,
Dean,	Smith,
Imboden,	Tips,
Kearby,	Yoakum.

ABSENT—2.

Douglass,	Jester.
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EXCUSED—3.

Goss,	Whitaker.
Hutchison,	

THIRTY-FOURTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, Feb. 17, 1893.

Senate met pursuant to adjournment.

Lieutenant Governor Crane in the chair.

Secretary Kennedy called the roll.

Quorum present, the following Senators answering to their names:

PRESENT—28.

Agnew,	Jester,
Atlee,	Kearby,
Baldwin,	Lawhon,
Boren,	Lewis,
Bowser,	McKinney,
Browning,	Pressler,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Goss,	Tips,
Greer,	Woods,
Imboden,	Yoakum.

ABSENT—1.

Hutchison.

EXCUSED—2.

McComb,	Whitaker.
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Prayer by the chaplain, Dr. Briggs.

Pending the reading of the journal of yesterday,

On motion of Senator Woods, the reading of the same was suspended.

On motion of Senator Dickson, Senator Douglass was excused for non-at-

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tendance since Monday, he being on committee duty.

On motion of Senator Kearby, the journal of yesterday was corrected so as to show that Senate bill No. 77 was made special order for Tuesday, February 23, instead of Senate bill No. 177.

PETITIONS AND MEMORIALS.

By Senator Dean:

Protest from commissioners court of Uvalde county against the creation of Beulah county out of Uvalde and other counties.

Read and referred to Committee on Counties and County Boundaries.

COMMITTEE REPORTS.

COMMITTEE ROOM,

AUSTIN, TEXAS, Feb. 16, 1893.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 66, entitled "An act to amend sections 1 and 2 of an act entitled an act to prevent fishing and hunting on the enclosed lands of another, approved March 31, 1885,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that the following substitute *do pass*.

KEARBY, Chairman.

COMMITTEE SUBSTITUTE.

A bill to be entitled "An act to amend sections 1 and 2 of an act entitled an act to prevent fishing and hunting on the enclosed lands of another, approved March 31, 1885."

Section 1. That any person who shall enter upon the enclosed lands of another, not exceeding in area ten thousand acres, without the consent of the owner, proprietor or agent in charge, and therein hunt with firearms or dogs or therein catch any fish from any artificial pond, lake or tank, shall be punished by fine not less than \$25 nor more than \$100; provided, this section shall not apply to any bona fide settler residing within said enclosed land, and this section shall not be so construed as to prevent or restrict the right of any person to pass through such enclosure on any public or private road therein.

Sec. 2. That it shall be unlawful for any professional hunter to enter upon the enclosed lands of another without the consent of the owner, proprietor or agent in charge, and therein hunt with firearms or dogs for or kill any game for the purpose of sale or market, and any person so offending shall be punished by a fine